

**Maine Water Quality Standards Litigation
Three Options for Reporting to the Court
November 2017**

The options below present three ways to approach the court and the litigation to defend EPA's decisions.

Ex. 5 DPP / ACP / AWP

WA and ID. Defending the HHC disapprovals either in the near term or later in a bifurcated proceeding would not constrain EPA's discretion on the science issues that were the basis of EPA's disapproval in WA, nor would it preclude approval of ID's submission, since there is an independent record basis to conclude that ID's HHC are protective of tribal treaty rights.

Option A

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Ex. 5 DPP / ACP / AWP

Option B

Ex. 5 DPP / ACP / AWP

Ex. 5 DPP / ACP / AWP